

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
PAUL RUDOLPH FOUNDATION, INC.,

Plaintiff,

-v-

PAUL RUDOLPH HERITAGE FOUNDATION and  
ERNST WAGNER,

Defendants.

CIVIL ACTION NO.: 20 Civ. 8180 (CM) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

Before the Court is the parties' joint letter regarding their outstanding discovery disputes, specifically with respect (i) the next step under their electronic discovery protocol (the "EDP Dispute"), and (ii) Plaintiff's response to Defendants' interrogatory (the "Interrogatory") seeking a calculation of Plaintiff's damages (the "Interrogatory Dispute"). (ECF No. 113). Pursuant to the discovery conference held today, November 4, 2022, the Court orders as follows:

1. With respect to the EDP Dispute:

- a. By **November 9, 2022**, Plaintiff shall provide Defendants with (i) a revised list of search terms that Defendants shall use to promptly conduct a search of their custodians' emails (the "Search"), and (ii) Plaintiff's hit report from its previously run search.
- b. By **November 14, 2022**, Defendants shall provide Plaintiff with the hit report resulting from the Search.

- c. By **November 18, 2022**, the parties shall begin to meet and confer regarding a finalized set of search terms for the collection and review of emails (the “Search Terms”).
  - d. By **December 2, 2022**, the parties shall file a joint letter, not longer than three (3) pages, regarding the status of the parties’ agreement on the Search Terms and, if necessary, identifying any disputes requiring the Court’s attention.
2. With respect to the Interrogatory Dispute, by **November 29, 2022**, Plaintiff shall serve a revised response to the Interrogatory with a range of Plaintiff’s alleged damages for each claim and citations to any documents produced to date in the litigation that support Plaintiff’s calculations.

Dated: New York, New York  
November 4, 2022

SO ORDERED.

  
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**SARAH L. CAVE**  
**United States Magistrate Judge**